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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

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February 9, 2010

Rohan Jackson-McGowan
Kennecott Utah Copper Corporation
P.O. Box 6001
Magna, Utah 84044-6001

Subject: Response to November 11, 2009 and December 23, 2009 Proposal for Resolution on Notice of Violation (NOV), Rio Tinto, Bingham Canyon, M/035/002, Salt Lake County, Utah

Dear Mr. McGowan:

The Division has reviewed the final Rio Tinto submittals for resolution of the Notice of Violation (NOV). Thank you for continuing to work with the Division on this critical matter. The Division finds the all TASKS complete and requests 2 clean copies of the final report and the Division will compile the requirements of the NOV. Please submit the clean copies within 30 days by March 10, 2010.

No further quarterly reporting is required. If there are questions, or you require clarification please contact me at 538-5306 or Leslie Heppler at 538-5257.

Sincerely,

Dana Dean, P.E.
Associate Director - Mining

DD:lah:vs

cc: Mr. Chris Kaiser, Kennecott Utah Copper, kaiserc@kennecott.com
Leslie Heppler
Tom Munson
Paul Baker

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